

## STATEMENTS OF DETERMINATION

### (a) ALTERNATIVES CONSIDERED

The Department has determined that no alternatives considered by the Department would be more effective in carrying out the purpose for which this regulation change is being made, or would be as effective and less burdensome to the affected private parties than the action taken. The regulation change is necessary for the Department to be in compliance with the mandates of the recently enacted provisions of the Health and Safety Code (Chapter 372, Statutes of 1999), and with the provisions of the Budget Act for 2000-2001 (Chapter 52, Statutes of 2000). In addition, this change is essential for the Department to effectively administer the United States Environmental Protection Agency's National Environmental Laboratory Accreditation Program as an approved accrediting authority, which is required by the new State statutes

### (b) LOCAL MANDATE DETERMINATION

The Department has determined that this regulation would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with Section 17500 of Division 4 of the Government Code).

### (c) ECONOMIC IMPACT STATEMENT

The Department has determined that the regulation would not have a significant adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states. In fact, the regulation, by providing on a voluntary basis for the participation of California environmental laboratories in the national accreditation program, presents an opportunity for those laboratories to compete on a nationwide basis with out-of-state laboratories which will have primary accreditation in other states. At the same time, laboratories which do not wish to obtain NELAP accreditation will still have the ability to obtain certification from the Department without any NELAP participation. Out-of-state laboratories which have been granted accreditations by another NELAP approved accrediting authority will have to pay the same fees as California accredited laboratories. Without this regulation some California environmental laboratories could be at an economic disadvantage in seeking business with agencies or organizations which may, in the future, require NELAP accreditation.

This regulation will not negatively affect the creation of new businesses or the elimination of existing businesses within the State of California. This regulation will not significantly affect the creation or elimination of jobs within the State of California.

(d) EFFECT ON SMALL BUSINESS

The Department has determined that the regulations may affect small businesses.